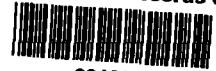


January 4, 1996

EPA Region 5 Records Ctr.



224209

Sherry Estes
Office of Regional Counsel
United States Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

RE: U.S. v. Accra Pac and Estate of Warner Baker

Dear Sherry:

During our November 22, 1995 conference call, we discussed John Wingard's September 25, 1995 letter. You intended to reply, signifying EPA's agreement with it, but noting that EPA did not intend that its agreement with Accra Pac should override any State requirements. Specifically, if Indiana Air Pollution Control Board rules or the federally approved Indiana SIP imposes emissions monitoring requirements for the air stripper, those requirements must be adhered to.

As a way to advance progress on this issue, I offer this suggestion. If you agree with the above articulation, then instead of taking the time to reply to John Wingard's letter, simply refer in the action memorandum to both John Wingard's September 25 letter and this letter as constituting EPA and Accra Pac's agreement on this issue.

Additionally, as we agreed during the conference call, the specifics of the monitoring methods and schedules referenced in John Wingard's letter will be proposed as part of the preliminary design submittal.

Very truly yours,

Richard S. VanRheenen

RSV:clh